



# THE NAVAJO NATION

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PETERSON ZAH  
PRESIDENT

MARSHALL PLUMMER  
VICE PRESIDENT

August 14, 1992

James Stout, Esq.  
Chief Counsel, OCC  
United States Department of Energy  
Albuquerque Field Office  
P.O. Box 5400  
Albuquerque, NM 87185-5400

RE: DOE Mining Lease AT(05-1)-ML-60.8-NM-B-1, Prewitt, NM.

Dear Mr. Stout:

The Navajo Environmental Protection Administration (Navajo EPA) is concerned over the long delay and inaction by the Department of Energy (DOE) in response to the Agency for Toxic Substances and Disease Registry (ATSDR) Public Health Advisory issued in November of 1990 concerning the subject DOE lease. ATSDR issued the health advisory stating that the abandoned mine wastes and ore presented a significant health risk to the local population and environment.

In response to the Advisory, the United States Environmental Protection Agency, Emergency Response Section, Region IX, undertook and has completed mine reclamation activities at all of the other sites specified within the Public Health Advisory. This response was completed nearly a year ago.

The Navajo Nation understands that the DOE has been attempting to resolve complex legal problems with regard to the cancellation of George Warnock's mining lease at the site. The Navajo EPA, as with the United States EPA, are becoming increasingly concerned with the prospect of continued delay in the conduct of response activities at the Site.

Neighboring citizens are very concerned and angry over the radiological threat and continued migration of potentially harmful radionuclide dust from the Site. The Department of Energy has demonstrated little responsibility or initiative in resolving this situation or addressing the fears of the local population.

The Navajo EPA is requesting the Department of Energy to provide us with an update on the status of your planned response activities.

Sincerely,

NAVAJO ENVIRONMENTAL PROTECTION ADMINISTRATION



Sadie Hoskie, Director

RB/RB

cc: Linda Wandres, ORC-EPA

~~Robert Bernstein, EPA~~

Diana Malone, NEPA-Superfund Program